



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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KIM AYALA,

Plaintiff,

-against-

THE CITY OF NEW YORK and NEW YORK CITY
POLICE OFFICER BENJAMIN FUNG, Shield No. 6714,
In his individual capacity,

Defendants.
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17-CV-7526 (PGG)(KNF)

**PLAINTIFF'S NOTICE OF
VOLUNTARY DISMISSAL
OF COMPLAINT
PURSUANT TO FEDERAL
RULE OF CIVIL
PROCEDURE 41(a)(1)(A)(i)**

PLEASE TAKE NOTICE that the Plaintiff KIM AYALA ("Plaintiff"), pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure files this voluntary dismissal with prejudice and hereby dismisses all causes of action in the complaint as to all Defendants.

This Plaintiff has not previously dismissed any state or federal court action based on or including the same claim against the Defendants.

Defendants have not answered or made a motion for summary judgment. Dismissal under Rule 41(a)(1) is therefore appropriate.

Respectfully submitted,

s/
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Dated: February 12, 2018

To: J. Carolina Chavez, Senior Counsel
New York City Law Department
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SO ORDERED:

Paul G. Gardephe
Paul G. Gardephe, U.S.D.J.
Feb 13, 2018